

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

UNITED STATES OF AMERICA) Criminal No.: 17-10391-RGS-JCB
)
)
 v.)
)
)
1. ANDRES PEREZ,)
2. CESAR ALICEA,)
 Defendants.)

GOVERNMENT'S INITIAL STATUS REPORT

Pursuant to Local Rules 116.5(a), the parties submit this initial status report in advance of the Initial Status Conference, which is currently scheduled for February 27, 2018.

1. Automatic Discovery Status

The government produced initial automatic discovery to each defendant.

2. Additional Discovery

The government anticipates producing additional discovery which is not yet available: the expert reports regarding analyses on the drugs, gun and ammunition seized in the case.

3. Timing of Additional Discovery Requests

The defendants are still reviewing automatic discovery and are still determining whether additional discovery requests will be necessary.

4. Protective Orders

The parties do not foresee the need for a protective order.

5. Pretrial Motions

The defendants are still considering whether to file any pretrial motions pursuant to Fed. R. Crim. P. 12(b).

6. Expert Discovery

As discussed in ¶ 1 above, the government has not produced expert discovery because it

is not yet available. The government has requested expedited analysis by the experts.

7. Speedy Trial Act Calculations

The parties have conferred on the periods excludable from all Speedy Trial Act calculations. The Court previously entered orders excluding the time from the defendants' separately held arraignments through February 27, 2018. Accordingly, zero days have been counted and 70 days remain under the Speedy Trial Act.

The parties jointly request that the time from February 27, 2018, until the interim status conference be excluded from Speedy Trial Act calculations. Exclusion of this time will allow the defendants to review discovery and consider the need for pretrial litigation or dispositive motions and allow the parties an opportunity to consider for disposition short of trial and therefore is in the interests of justice.

8. Request for an Interim Status Conference

The parties request that the Court schedule an interim status conference on a date convenient to the Court in approximately 60 days.

Respectfully submitted,

ANDRES PEREZ
Defendant

By: Daniel J. Cloherty
Daniel J. Cloherty
Todd & Weld

CESAR ALICEA
Defendant

By: W. Jamiel Allen
W. Jamiel Allen
Federal Public Defenders Office

ANDREW E. LELLING
UNITED STATES ATTORNEY

By: Timothy E. Moran
Timothy E. Moran
Assistant United States Attorney

Dated: February 16, 2018

CERTIFICATE OF SERVICE

I hereby certify that this document filed through the ECF system will be sent electronically to the registered participants as identified on the Notice of Electronic Filing (NEF).

/s/ Timothy E. Moran
Timothy E. Moran